

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.27338 of 2007

Between:

Panjala Suguna and another.

.. PETITIONERS

and

The Gram Panchayat.

.. RESPONDENT

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ORDER:

It is the case of the petitioners that the husband of the 1st petitioner namely Late Panjala Narayana and the vendor of the 2nd petitioner namely Panjala Ilumallu are the natural brothers and both of them are in joint possession of the land admeasuring Ac.0-04 gts. in Sy.No.971/2 situated at Chelpur Village, Huzurabad Mandal, Karimnagar District. While so, the respondent issued notice, dated 03-12-2007, to the petitioners stating that in addition to the land admeasuring Ac.0-04 gts., the petitioners encroached some land and accordingly, they are asked to present before the respondent on 04-12-2007 to verify the records, so as to enable the respondent to take away the encroached land, as the said land is required for the public purpose. Pursuant to the said notice, the petitioners made representation on 04-12-2007 stating that they have not encroached any excess land over and above the patta land admeasuring Ac.0-04 gts. It is also stated that if the land admeasuring Ac.0-04 guntas is measured and given to them, they have no objection to take away any excess land.

I am of the opinion that unless the land admeasuring Ac.0-04 gts. is measured and given to the petitioners, the respondents cannot take any extent of the land out of the land admeasuring Ac.0-04 gts.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing the respondent to make an enquiry and consider and dispose of the representation of the petitioners, dated 04-12-2007. Till the final order is passed, the respondent is directed not to dispossess the petitioner from the land admeasuring Ac.0-04 gts. in Sy.No.971/2 situated at Chelpur Village, Huzurabad Mandal, Karimnagar District. There shall be no order as to costs.

20-12-2007

Prv